

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

YOUNGS, Wiley J., et al.

10569563
Serial No. 11/569,563



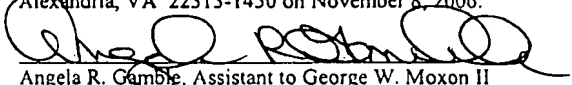
Group Art Unit
Confirmation No. 7612
Customer No. 39905

CERTIFICATE OF MAILING

Filed February 27, 2006

For METAL COMPLEXES OF
N-HETEROCYCLIC CARBENES AS
RADIOPHARMACEUTICALS AND
ANTIBIOTICS

I hereby certify that the following correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2006.


Angela R. Gamble, Assistant to George W. Moxon II

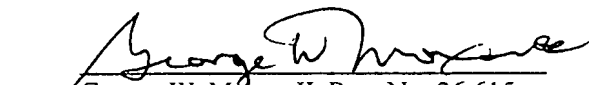
RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION

Sir:

Now comes Applicants, through their undersigned counsel, and submit herewith a duly executed Combined Declaration and Power of Attorney and requested new drawings. Also submitted herewith is a copy of the Notice to File Missing Parts of Nonprovisional Application mailed September 11, 2006.

You are hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0959 (089498.0463.US). A duplicate copy of this page is included for such purposes.

Respectfully submitted,


George W. Moxon II, Reg. No. 26,615
Roetzel & Andress
222 South Main Street
Akron, Ohio 44308
Telephone: (330) 376-2700
Attorney for Applicants

November 8, 2006

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PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1430
Alexandria, Virginia 22313-1430
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/569,563	FIRST NAMED APPLICANT Wiley J. Youngs	ATTY. DOCKET NO. 089498.0463.PCT.US
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INTERNATIONAL APPLICATION NO.

PCT/US04/29285

39905
ROETZEL AND ADDRESS
222 SOUTH MAIN STREET
AKRON, OH 44308



I.A. FILING DATE 09/07/2004	PRIORITY DATE 09/05/2003
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Response Due 11/11/06
CONFIRMATION NO. 7612

371 FORMALITIES LETTER



OC000000020365607

Date Mailed: 09/11/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/27/2006
- Copy of the International Search Report filed on 02/27/2006
- Information Disclosure Statements filed on 03/28/2006
- Small Entity Statement filed on 02/27/2006
- U.S. Basic National Fees filed on 02/27/2006
- Priority Documents filed on 02/27/2006
- Specification filed on 02/27/2006
- Claims filed on 02/27/2006
- Abstracts filed on 02/27/2006

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SEP 11 2006

PCT/US04/29285

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$165 for a Small Entity:

- **\$65 Surcharge.**
 - This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
 - The application examination fee has not been paid. Applicant must submit \$100 to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/569,563	PCT/US04/29285	089498.0463.PCT.US

FORM PCT/DO/EO/905 (371 Formalities Notice)



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YOUNGS, Wiley J., et al.

Serial No. ~~11/569,563~~ **10569563**

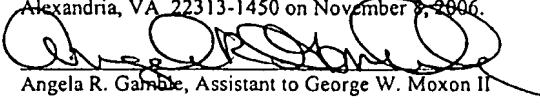
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Angela R. Gamble, Assistant to George W. Moxon II

TRANSMITTAL SHEET

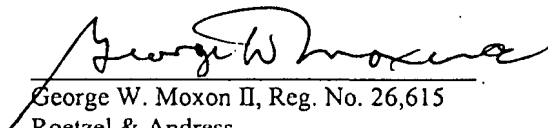
Enclosed are the following documents:

Response to Notice to File Missing Parts (*in duplicate*)
Combined Declaration and Power of Attorney
Copy of Notice to File Missing Parts
Return Receipt Postcard

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Director is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0959 (089498-0463.US).

Respectfully submitted,


George W. Moxon II, Reg. No. 26,615
Roetzel & Andress
222 South Main Street
Akron, OH 44308
Telephone: (330) 849-6689
Facsimile: (330) 376-4577

Attorney for Applicant

November 8, 2006

1384425.089498.0463